

- A. 35 He was up by the canteen and the other boys were with him and he handed some beer out the window.
- Q. 36 Who did he hand it to?
- A. 36 Casey and McFee.
- Q. 37 Then what happened?
- A. 37 They took it and drank it and then "Red" went back again and reached out the window and handed two more bottles to them.
- Q. 38 Who handed two more out?
- A. 38 "Red", and McFee and Casey both asked him if it was all right if they took it to their aunts and he told them to hurry back, they did not want to get caught, and they went in the house and came right back and gave "Red" back the bottles and "Red" hung on to them until they came to the canteen. They both tried to give "Red" a quarter and he would not take it and they put it in his pocket. Then we left after we took the bottles back.
- Q. 39 This fifty cents, did the accused keep it?
- A. 39 Yes Sir.
- Q. 40 The person you call "Red" can you point him out?
- A. 40 Yes Sir. The one in the middle. (The witness pointed to the accused).
- CROSS-EXAMINED BY DEFENDING OFFICER.
- Q. 41 Do you remember, did your friends ask Gunner Gracie for the beer?
- A. 41 Yes Sir, they asked him for it.
- THE PROSECUTOR DECLINES TO RE-EXAMINE.
- QUESTIONED BY THE COURT.
- Q. 42 How big a boy is McFee?
- A. 42 He is bigger than Frankie.
- Q. 43 How old would you think he was?
- A. 43 Sixteen or seventeen.
- IN THE OPINION OF THE COURT IT IS NOT NECESSARY TO COMPLY WITH R.P. 83 (B).
- THE WITNESS WITHDRAWS.
- Fourth Witness
for
Prosecution.
- Q. 44 Capt. C.D. Fraser, Adjutant, 21st. A.A. Regiment, R.C.A., (CA), being duly sworn, is examined by the prosecutor. On the 5th. of May, last, were you detailed to take a summary of evidence in the case of Gunner Gracie?
- A. 44 Yes Sir.